

City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, November 09, 2005

7:30 PM

Council Chambers, 8th Floor, City Hall

City Council

*Randall A. Gilliland, Angela Lee Leary, Charles N. Sapp,
Joseph H. Spencer, II, Turner M. Spencer, Rhet Tignor,
Ross A. Kearney, II, Mayor*

Staff:

Jesse T. Wallace Jr., City Manager

A. Paul Burton, City Attorney

Katherine K. Glass, Clerk of Council

Brenda J. Vaccarelli, Deputy Clerk

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Audiences Granted to the General Public
- (6) Miscellaneous New Business
- (7) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a five (5) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Rhet Tignor

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items - Second Reading

1. **05-0636** A Resolution appropriating funds for Uncompleted Capital Projects funded with General Funds, Stormwater Funds and Economic Development Funds.
2. **05-0657** Armistead Avenue/Link Road Improvements (Phase 1A) - Engineering Services Project No: 02-018

Consent Items - Other

3. **05-0698** Proposed acquisition of three parcels of property, known as 200 Point Comfort (Todds Cottages) from Todd's Cottages, L.C., 1706 North Mallory Street (Golden Sands) from Golden Sands Motel, L.C., and 216 Point Comfort Avenue, from Donald W. Sowalskie and Suji M. Sowalskie.
4. **05-0690** Proposed acquisition of property, known as 223 and 227 Seaboard Avenue, also known as Luke's Cottages, from Leslie W. Saylor.
5. **05-0691** Proposed acquisition of property, known as 314/316 2nd Street South, from Banyo Ndanga.
6. **05-0687** Proposed acquisition of property, known as 315 2nd Street South, from BBC Partners by Francis G. Binder and Sylvia G. Carmel.
7. **05-0680** Proposed acquisition of property, known as 252 Seaboard Avenue, from Terry J. Gunnels and Shirley Gunnels.
8. **05-0679** Proposed acquisition of property, known as 300 Second Street South, from Mary Elizabeth Green also known as Elizabeth B. Green.
9. **05-0684** Proposed acquisition of property, known as 310 2nd Street South, from Billie P. Einselen.
10. **05-0681** Proposed acquisition of property, known as 210 Point Comfort Avenue, from Timothy A. Joyce and Janet A. Joyce.
11. **05-0683** Proposed acquisition of property, known as 530 Armistead Avenue N, from Ronald A. Simon and Shirley A. Simon.

12. **05-0682** Resolution (a) finding that the Hampton Coliseum Mall area of the City of Hampton is deteriorating and may be eligible for conservation; (b) directing the Hampton Redevelopment and Housing Authority (the "Authority") to investigate such area and prepare a conservation plan; and (c) scheduling a public hearing to consider adoption of the conservation plan prepared by the Authority.
13. **05-0685** Resolution scheduling a public hearing on the question of adoption and approval of an ordinance creating the "Peninsula Town Center Community Development Authority" in the Coliseum Central area of the City of Hampton.
14. **05-0664** Resolution establishing policy for enhancements of transit stops within the City of Hampton
15. **05-0689** Temporary Nonexclusive Revocable License Agreement between the City of Hampton and Telcove of Virginia, LLC
16. **05-0701** Approval of minutes from afternoon and evening sessions of October 12, 2005, October 26, 2005, and from special meeting of October 31, 2005.

PRESENTATIONS, PROCLAMATIONS, AWARDS

17. **05-0667** In Recognition of Alexis Hammond and Giana Aponte
18. **05-0674** In Recognition of the 90th Birthday of Mary E. Johnson
19. **05-0702** Proclamation - GIRLS, INCORPORATED 500 PEOPLE OF INFLUENCE WEEK
20. **05-0703** Proclamation - In Memory of Robert W. Annette
21. **05-0704** Proclamation - In Memory of Joseph R. Struhar
22. **05-0705** Proclamation- In Memory of Tom Tiller

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

PUBLIC HEARINGS

Rezoning - Second Reading

23. **05-0651** Rezoning Application No.1202 by William Cowardin to rezone 1.15+/- acres at the southeast corner of East Pembroke Avenue and Woodland Road from One-Family Residence District (R-9) and Limited Commercial District (C-2) to Limited Commercial District (C-2) for the development of a gas station, convenience store, and retail uses as part of the Buckroe Village development.

Rezoning - First Readings

24. **05-0646** Rezoning Application No.1209 by Tysinger Real Estate to rezone 5.5+/- acres at the northeast intersection of Hampton Roads Center Parkway and Magruder Boulevard from One Family Residence District (R-11) to Limited Commercial District (C-2) to allow the expansion of a new car dealership.
25. **05-0669** Rezoning Application No.1208 by Charles A. Huffman, III to rezone two parcels totaling 1.17+/- acres from One Family Residence (R-13) District to Multiple Dwelling Townhouse (MD-T) District to develop up to nine (9) fee simple townhouses.
26. **05-0670** Rezoning Application No.1212 by Ocean Properties to rezone 1.466+/- acres at 23 Water Street from Limited Commercial District (C-2) and One Family Residence District (R-13) to solely Limited Commercial District (C-2) for the purpose of constructing a mixed use structure, having multi-family dwelling units and a commercial restaurant.
27. **05-0671** Rezoning Application No.1214 by AAAA Self Storage to rezone 1.94 +/- acres at the southeast intersection of Mercury Boulevard and North King Street from Neighborhood Commercial District (C-1) to General Commercial District (C-3) for the construction of a multi-story self storage facility.
28. **05-0672** Rezoning Application No.1218-A by the City of Hampton to rezone approximately 0.1+/-+ acres at 731 Pennsylvania Avenue from General Commercial District (C-3) to One-Family Residential District (R-9) to permit the use and construction of single family homes.
29. **05-0694** Rezoning Application No. 1216 by Advantis/GVA and the Hampton Industrial Development Authority to rezone approximately 6.2+/- acres of property located at 2501 58th Street from Heavy Manufacturing District (M-3) to General Commercial District (C-3) for a gas station and flexible commercial space.

Conditional Privilege

30. **05-0673** Conditional Privilege Application No. 83 by Luis Otero to allow for live entertainment at La Bodega located at 22 Wine Street.

Ordinances - First Readings

31. **05-0676** an Ordinance to Impose a Tax on Commercial Properties within the Downtown Hampton Business Improvement District
32. **05-0696** An ordinance to impose a tax on commercial properties within the Coliseum Central Business Improvement District

GENERAL ITEMS**Initial Item**

33. **05-0596** Presentation of Petitions in Opposition to the Bayfront Initiative of the Buckroe Master Plan

Ordinances

34. **05-0637** Ordinance to amend and re-enact section 37-96 of the Code of the City of Hampton, Virginia, pertaining to the "exemption of rehabilitated commercial or industrial real estate".
35. **05-0686** Ordinance to enact the City of Hampton Enterprise Zone Incentives Program.

Resolutions**Contracts and Agreements****Appointments**

36. **05-0675** consider appointments to the Senior Citizens Advisory Board
37. **05-0695** consideration of an appointment to the Rental Inspection Program Oversight Committee
38. **05-0697** consideration of appointments to the Coliseum Advisory Committee
39. **05-0700** consideration of appointment to the Wetlands Board

Conditional Privilege - Review**Other Items**

40. **05-0699** Appeal of Denial of Certificate of Public Convenience and Necessity by Jachin Chandler

AUDIENCES GRANTED TO THE GENERAL PUBLIC

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov